

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 09-0278 WJ/KBM
CR 08-1029 WJ

ALEXANDER RIZO-SUAREZ,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**


The Magistrate Judge filed her Proposed Findings and Recommended Disposition on May 12, 2009. *See Doc. 6.* The proposed findings notify Defendant of his ability to file objections and that failure to do so waives appellate review. To-date, he has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 6*) is ADOPTED;
2. Defendant's § 2255 petition is dismissed **with prejudice**; and

3. A final order enter concurrently herewith.



UNITED STATES DISTRICT JUDGE